### **Staff Summary Report**



Council Meeting Date: 01/08/04 Agenda Item Number: 49

SUBJECT: This is the second public hearing for Firestone Tires for an Amended General Plan of

Development for University & McClintock Crossing Commercial Center and Final Plan of Development for Firestone Tires with including a use permit located at 1775 East

University Drive.

DOCUMENT NAME: 20040108d2k02 PLANNED DEVELOPMENT (0406)

**SUPPORTING DOCS:** Yes

q-j

**COMMENTS:** This is the second public hearing for **FIRESTONE TIRES** (The Focus Group, LLC,

David Church, property owner) #SGF-2003.95 for an Amended General Plan of Development for University & McClintock Crossing consisting of 29,016 s.f., on 4.86 net

Development for University & McClintock Crossing consisting of 29,016 s.f., on 4.86 net acres, and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. on 2.11

net acres and a use permit, located at 1775 East University Drive, including the

following:

Use Permit:

Allow a tire and auto service store in the PCC-1 Zoning District.

**PREPARED BY:** DeeDee (D<sup>2</sup>) Kimbrell, Planner II (480-350-8438)

**REVIEWED BY:** Steve Venker, Planning & Zoning Manager (480-350-8920)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

**RECOMMENDATION:** Staff – Approval of General and Final Plan of Development

Denial of sign request

Public - None to date

Planning Commission – Approval (6-0 vote)

ADDITIONAL INFO: The four parcel commercial center is currently housing McDonald's restaurant, 7-Eleven

convenience store with gas pumps, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last vacant parcel within this commercial center to be developed. Firestone Tires will be the first phase of the two phase development for this parcel. With the proposed development of Firestone Tires (Phase I) and future retail building (Phase 2), this

commercial center will be completed.

The General Plan of Development designates this site for single story retail land use. This proposal appears to be consistent with previously recorded development plans, both in land use and site plan. Also requested with this Final Plan of Development are three (3) freestanding tenant identification signs (two along University Drive and one along McClintock Drive) in lieu of the freestanding center identification sign otherwise required in the PCC-1 Zoning District. Staff supports the Amended General Plan of Development and Final Plan of Development for Firestone Tires, subject to conditions. On November 25, 2003, Planning Commission approved this request by a 6-0 vote on their consent agenda. Staff does not support the sign request. To date, no public input has been received. Note: City Council held their first public hearing for this request on

December 17, 2003.

### **ATTACHMENTS:** 1.

- . List of Attachments
- 2. History & Facts
- 3-4. Description
- 4. Comments / Reason(s) for Approval
- 5-6. Conditions of Approval
  - A. Location Map
  - B. Amended General and Final Plan of Development
  - C. Final Plan of Development
  - D. Floor Plan
  - E. Elevations
  - F. Conceptual Landscape Plan
  - G. Letter of Explanation/Intent
  - H. Previously Recorded Plan (8/27/03)

HISTORY & FACTS:												
January 28, 1958.	This site was annexed into the City from the County as Rl-6. Rezoning of this parcel from Rl-6 to industrial predates City's record keeping.											
May 15, 1996.	Design Review Board approved the Commons Apartments for building elevations, site and landscape plan, subject to conditions.											
June 6, 1996.	City Council approved a General Plan 2000 Amendment, Resolution No. 96.22, from Mixed Use to Residential on 22.25 net acres and from Mixed Use to Retail on 4.87 net acres.											
June 6, 1996.	City Council approved a zoning change, Ordinance No. 808.9605, from I-2 General Industrial District to R-3 Multi-family Residential on 22.25 net acres and to PCC-1 Planned Commercial Center on 4.87 net acres.											
June 6, 1996.	City Council approved a Site Plan for Jefferson Commons Apartments consisting of 288 units on 22.25 net acres including four variances.											
June 6, 1996.	City Council approved a General Plan of Development for Jefferson Commons Shopping Center (now University & McClintock Crossing) consisting of 4.87 net acres including a Use Permit for a convenience store with gasoline pumps and two variances.											
March 27, 1997.	City Council approved a one-year time extension of condition #5 for Jefferson Commapartments and for the commercial center (Now University and McClintock Crossing											
December 18, 1997.	City Council approved an Amended General Plan of Development for University & McClintock Crossing Commercial Center and a Final Plan of Development for Phase I (Parcel 1) and Phase II (Parcel 3), including 2 variances.											
April 30, 1998.	City Council approved a Final Subdivision Plat consisting of 4 parcels, subject to 5 conditions.											
March 18, 1999.	Council approved an Amended General and Final Plan of Development for a one-story 22,140 s.f. retail/restaurant building at McClintock Crossings located at the SWC of University and McClintock. (Plan was not recorded)											
June 8, 2000.	City Council approved the request by McClintock Crossing for re-approval of an Amended General & Final Plan of Development for Parcel 4 consisting of 2,250 s.f. of restaurant and 19,890 s.f. of retail on 2.15 net acres located at 1775 East University Drive. (Plan was not recorded)											
December 19, 2002.	City Council approved the request by Wienerschnitzel for a 3 <sup>rd</sup> Amended General Plan of Development for University & McClintock Crossing and a Final Plan of Development for Wienerschnitzel Hot Dog Restaurant consisting of 2,880 s.f. building including a use permit for a 600 s.f. outdoor dining patio.											
November 25, 2003.	Planning Commission approved the request by Firestone Tires for an Amended General Plan of Development for University & McClintock Crossing consisting of 29,016 s.f., on 4.86 net acres, and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. on 2.11 net acres and a use permit, located at 1775 East University Drive. (6-0 vote)											
December 17, 2003.	City Council held their first public hearing for this request.											

### **DESCRIPTION:** Owner – The Focus Group, David Church

Applicant - Sender Associates, Darin Sender

Architect - Mark Abel Architects P.C., Mark Abel

Attorney - Sender Associates, Darin Sender

Existing zoning – PCC-1

### <u>University & McClintock Crossing – Amended General Plan of Development</u>

Total site area – 4.86 net acres

Total bldg. area -29,016 s.f.

Bldg. Coverage - 14%

Landscape coverage – 27%

Total parking required – 171 spaces

Total parking provided – 182 spaces

Total bicycle parking required – 24 spaces

Total bicycle parking provided – 26 spaces

### Parcel 1: (Phase 1) 7-11 Convenience store w/ gas pumps

Site area – 1.15 net acres

Bldg. area (including canopy) – 7,232 s.f.

Bldg. coverage - 14.39%

Landscape coverage – 38%

Parking required—13 spaces

Parking provided – 13 spaces

Bicycle parking required – 8 spaces

Bicycle parking provided – 8 spaces

### Parcel 2 (Phase 3) Wienerschnitzel Restaurant

Site area – .87 net acres

Bldg. area -2,880 s.f.

Bldg. coverage – 8%

Landscape coverage – 18%

Parking required – 42 spaces

Parking provided – 44 spaces

Bicycle parking required – 6 spaces

Bicycle parking provided – 6 spaces

### Parcel 3 (Phase 2) McDonald's

Site area – .70 net acres

Bldg. area -3,150 s.f.

Bldg. coverage – 10.3%

Landscape coverage - 26%

Parking required – 42 spaces

Parking provided – 42 spaces

Bicycle parking required – 6 spaces

Bicycle parking provided – 8 spaces

### Parcel 4 (Phase 4) Firestone Tires/Retail

Site area -2.15 net acres

Bldg. area – Firestone Tires 7,610 s.f.

- Future building 12,240 s.f.

Bldg. coverage – 21%

Landscape coverage – 23%

Parking required – 74 spaces

Parking provided – 83 spaces

Bicycle parking required – 4 spaces

Bicycle parking provided – 4 spaces

**COMMENTS:** The applicant is requesting an Amended General Plan of Development for University & McClintock Crossing and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. building with a future retail building located southeast of the parcel. Included with this request is a use permit to allow a tire and auto service store in the PCC-1 Zoning District. The four parcel commercial center is currently housing McDonald's restaurant and 7-Eleven convenience store with gas pumps, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last parcel to be developed within the center.

> Also requested with this Final Plan of Development are three (3) freestanding tenant identification signs (two along University Drive and one along McClintock Drive) in lieu of the freestanding center identification sign otherwise allowed in the PCC-1 Zoning District. Staff does not support the request for three (3) freestanding tenant signs. McClintock Crossing commercial center already exceeds the number of tenant identification signage allowed per street frontage (one freestanding identification sign per street frontage of the entire site is permitted). The site currently has two (2) freestanding tenant identification signs along University Drive and two (2) along McClintock Drive. Staff would support one (1) additional center identification sign along University Drive and none along McClintock Drive, thereby using an existing tenant sign for the center identification along McClintock Drive.

> This proposal appears to be consistent with previously recorded development plans, both in land use and the site plan. The site plan has been modify slightly to provide two (2) buildings instead of three (3) on Parcel 4. The overall lot coverage and building size for Parcel 4 has been reduced from 22,825 to 19,850 s.f. to allow more landscaping and retention. This use should not attract traffic in excess of that anticipated for this type of project. All buildings will be required to maintain architectural compatibility throughout the site plan. The proposed use permit appears to pass the ordinance test. Staff supports the Amended General Plan of Development and the Final Plan of Development and use permit for Firestone Tires, subject to conditions. However, staff does not support the request for three (3) freestanding tenant signs. To date, no public input has been received.

### REASON(S) FOR APPROVAL: 1.

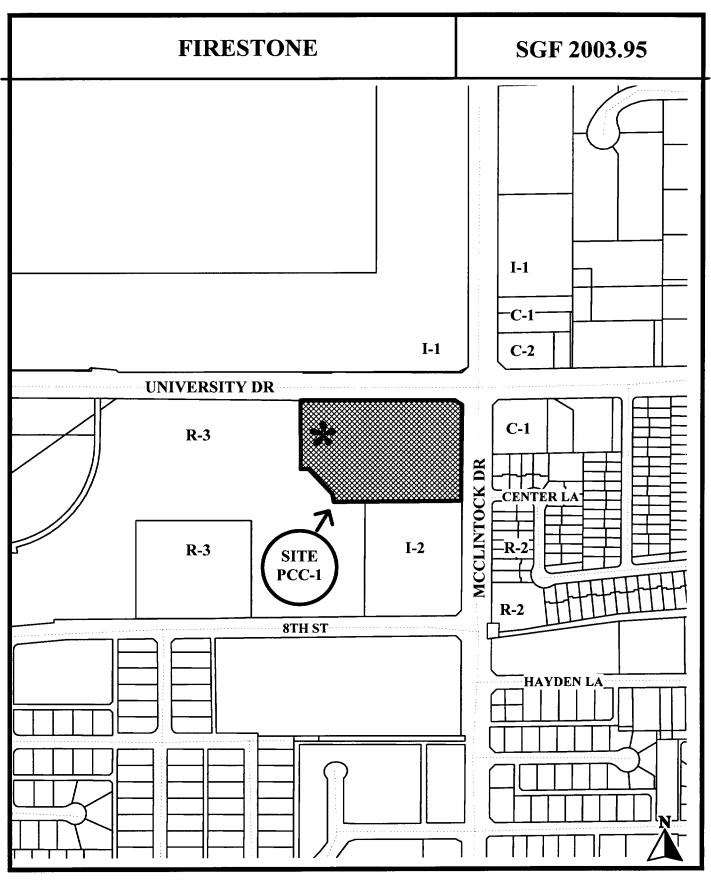
- The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires appear to be consistent with previously recorded development plans.
- 2. The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires appear to function efficiently and should not create any detrimental effects to the adjacent properties/neighbors.

### CONDITION(S) OF APPROVAL:

- 1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
  - b. Off-site improvements to bring roadways to current standards include:
    - (1) Water lines and fire hydrants
    - (2) Sewer lines
    - (3) Storm drains.
    - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
  - c. Fees to be paid with the development of this project include:
    - (1) Water and sewer development fees.
    - (2) Water and/or sewer participation charges.
    - (3) Inspection and testing fees.
  - d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
- 2. a. All street dedications shall be made within six (6) months of Council approval.
  - b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
  - c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe Section 25.120.
- 3. The applicant/owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
- 4. No variances may be created by future property lines without the prior approval of the City of Tempe.
- 5. A valid building permit shall be obtained and substantial construction commenced on or before January 8, 2005 or the use permit shall be deemed null and void.
- 6. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department on or before January 8, 2005. Failure to record the plan within one year of Council approval shall make the plan null and void.

- 7. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without the prior approval of the Engineering Department.
- 8. The applicant/owner shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
- 9. The use permit is non-transferable and is issued to the owner(s) of Firestone Tires, The Focus Group only.
- 10. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
- 11. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.
- 12. This proposal shall be approved by the Design Review Board prior to City Council approval.
- 13. Eliminate one of the proposed freestanding tenant identification signs along University Drive and the proposed freestanding tenant identification sign along McClintock Drive.





Location



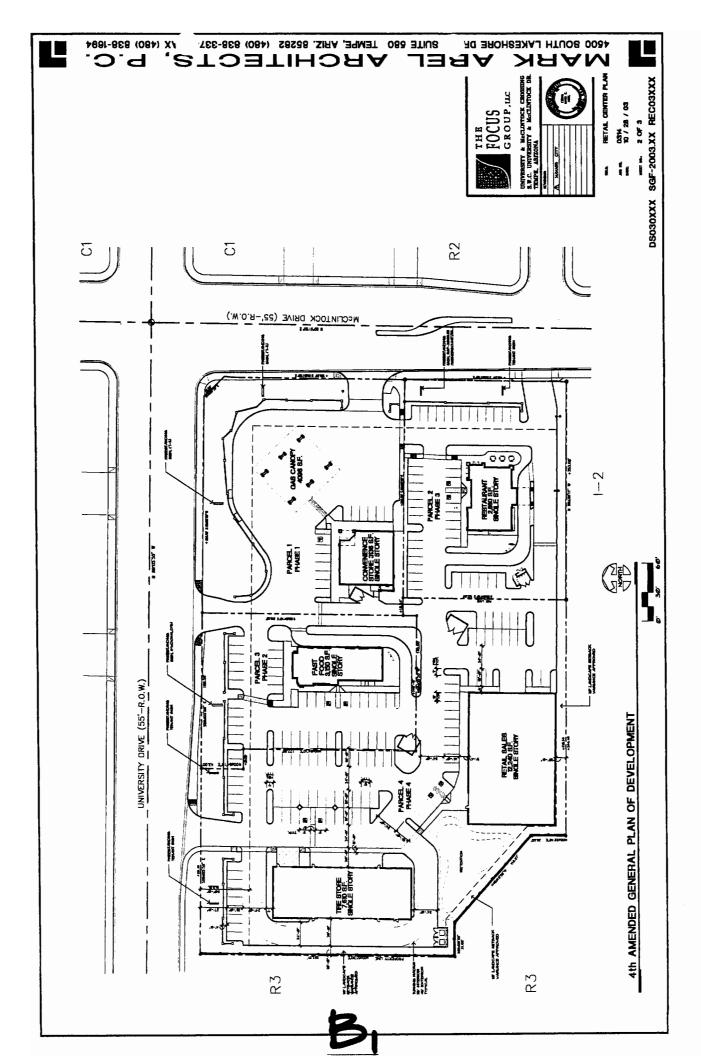
## 4th AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING

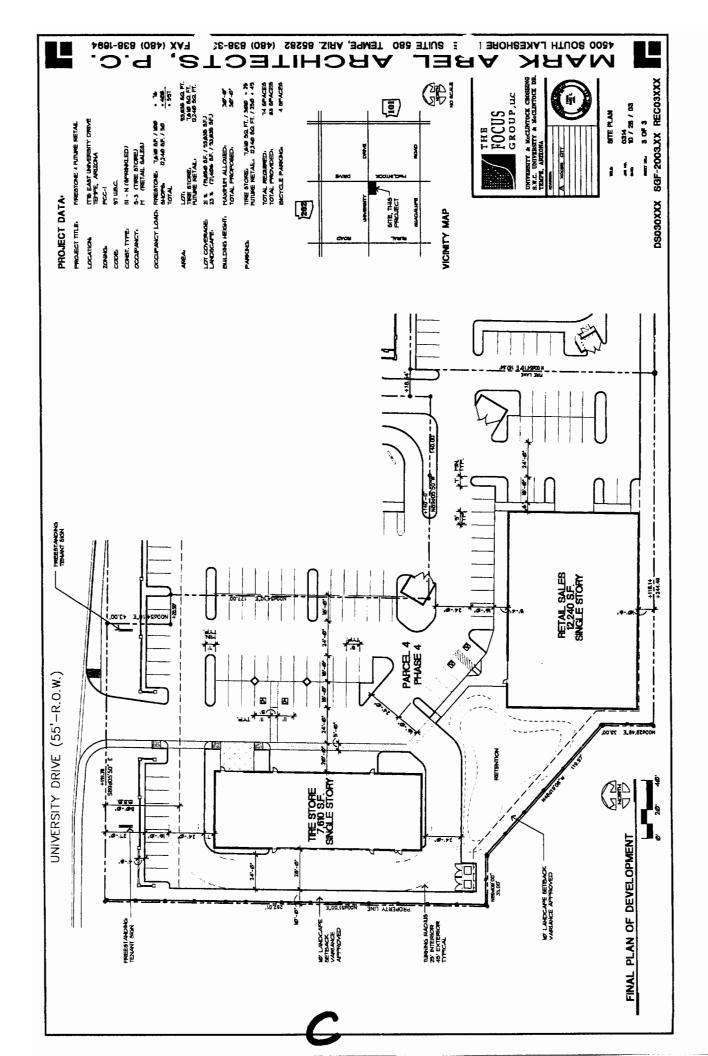
# PLAN OF DEVELOPMENT FOR PARCEL 4, PHASE 4, FIRESTONE TIRES

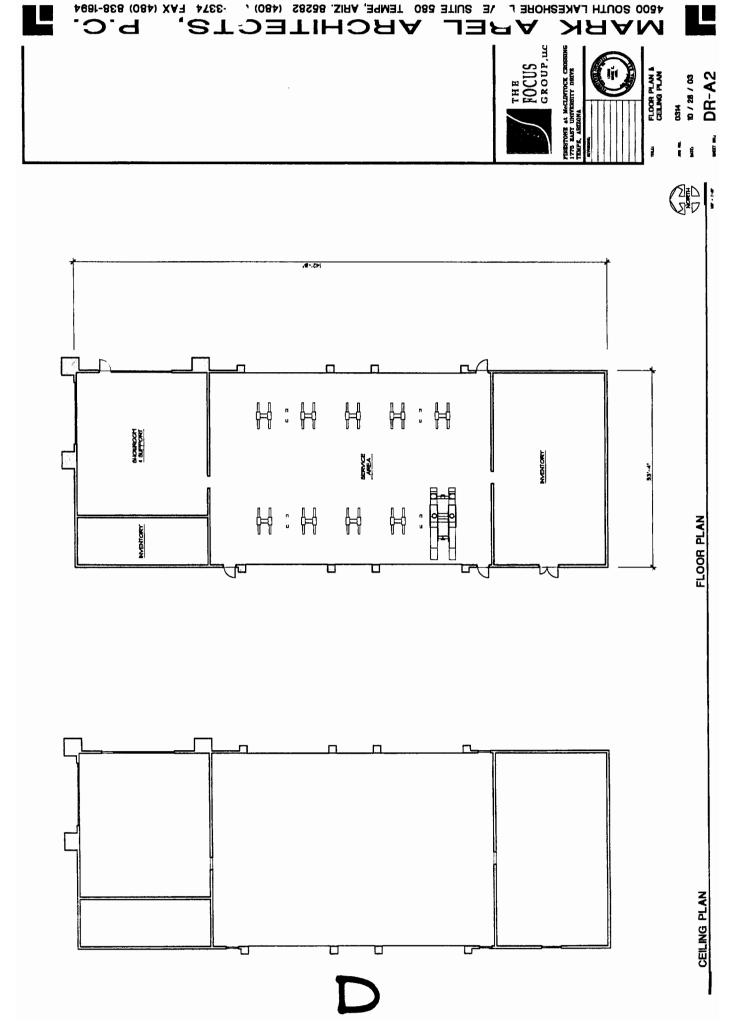
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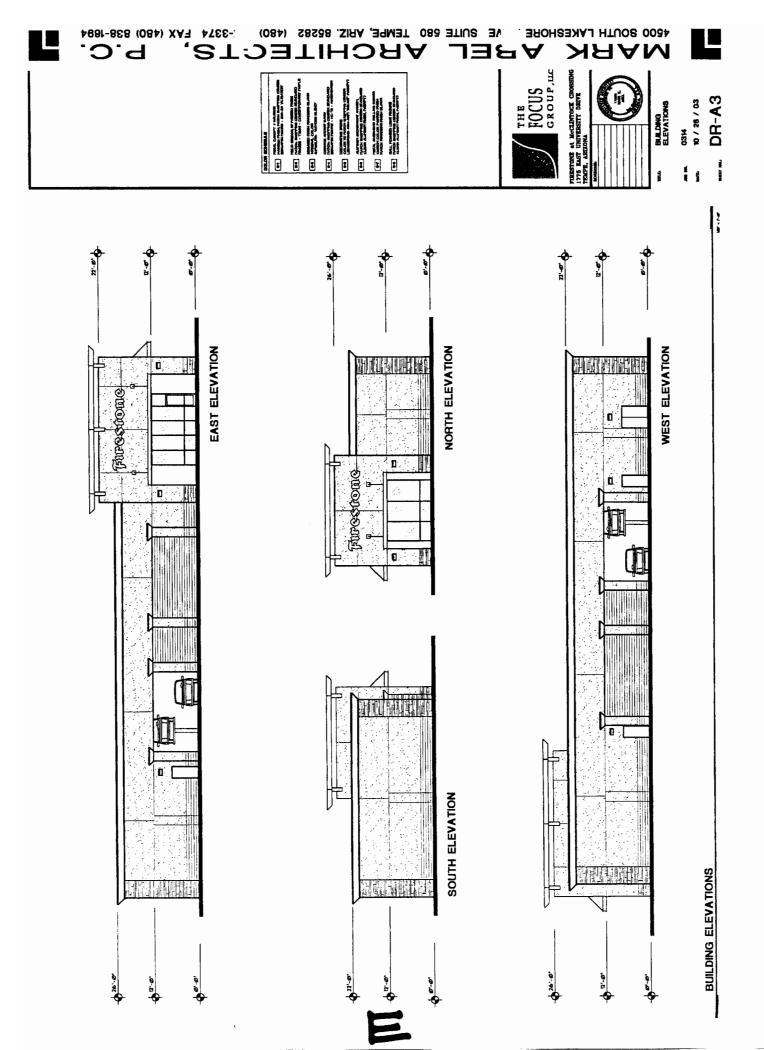
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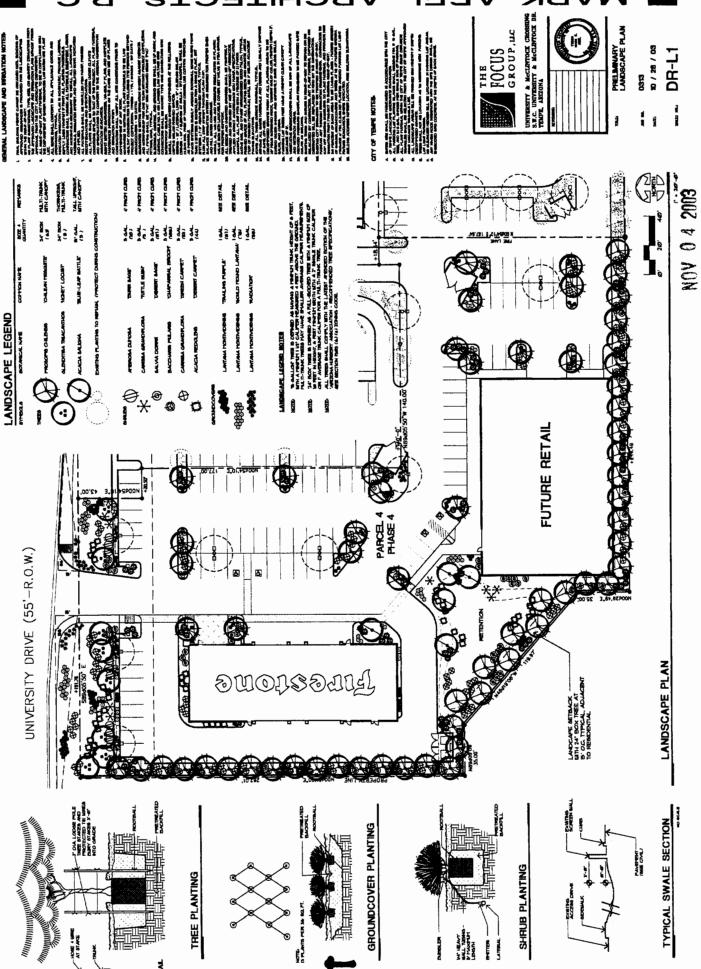
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### ·PROJECT DATA ·

• APPLICATION Fourth Amended General Plan of Development (University and

McClintock Crossing) with Final Plan of Development for Parcel 4 (Phase 4) – Firestone Automotive; Use Permit for Automotive Use; and Three (3) Freestanding Tenant Identification Signs with the Final Plan of Development (Two along University Drive and One along McClintock Drive) in lieu of the Freestanding Center Identification Signs Otherwise Required in the PCC-1 District.

• **LOCATION** 1775 East University Drive.

(Southwest corner of McClintock and University Drives)

•SITE AREA 93,835 S.F. or 2.15 Net Acres.

• EXISTING Site: PCC-1

**ZONING** North: I-1 across University Drive

South: I-2

East: PCC-1 & R-2 further east

West: R-3

·SURROUNDING Site: Vacant

LAND USES North: McDonald's Restaurant, 7-Eleven AM/PM Gas Station;

APS Solar Power Station across University Drive

South: Boat Dealership

East: Commercial and High Density Residential

West: Apartments

· LEGAL Sender Associates, Chartered

REPRESENTATIVE Darin A. Sender

398 South Mill Avenue, Suite 301

Tempe, Arizona 85281

(480) 966-6735 (480) 966-8016 fax

darin@senderlaw.com

• PROPERTY OWNER The Focus Group, equitable owner

David Church 453 6th Avenue

San Diego, California 92101

· ARCHITECT Mark E. Abel, AIA

Mark Abel Architects P.C.

4500 South Lakeshore Drive, Suite 580

Tempe, Arizona 85282

(480) 838-3374 (480) 838-1694 fax



### ·PROJECT NARRATIVE ·

### I. HISTORY OF BUSINESS

### Bridgestone/Firestone, Inc.

The Firestone Tire & Rubber Company began in August 1900 in Akron, Ohio. From the start, Firestone worked to improve quality and meet the needs of their customers. Firestone was purchased by Bridgestone in 1988, transforming the corporation into a global competitor. The operation in America was consolidated 2 years later into a unified name called Bridgestone/Firestone, Inc.

Firestone is committed to being a good corporate citizen nationally, regionally and locally. Their corporate philosophy is to build not just better products, but better communities.

The current Firestone has been in business at the southeast corner of Apache Boulevard and McClintock Drive for many years. Due to the City's proposed light rail development along Apache Boulevard Firestone must relocate. To that end, Firestone is proposing to begin anew at this location at the southwest corner of University and McClintock Drives. This site will allow Firestone to maintain and operate their business within the relative same market area of Tempe, while minimizing any potential customer confusion.

### II. INTRODUCTION / REQUESTS

This application requests approval of a Final Plan of Development for Parcel 4 (Phase 4) and a Fourth Amended Plan of Development for the University and McClintock Crossing Commercial Center located at the southwest corner of McClintock and University Drives, (the "Site"). The current proposal includes a 7,610 s.f. Firestone building to be used as a tire and automotive service business. Adequate ingress and egress to the Site is assured through the four shared driveways and reciprocal cross-access easement for the entire commercial center found within the existing Covenants, Conditions and Restrictions (CC&Rs), thus allowing ease of access to both arterial streets.

This application also requests the following, in addition to the Development site plan approvals.

- 1. Use Permit for the Firestone automotive use within the PCC-1 zoning district; and
- 2. Request for three (3) freestanding tenant identification signs with the Final Plan of Development (two along University Drive and one along McClintock Drive) in lieu of freestanding center identification signs otherwise required in the PCC-1 district for Firestone and a future building within Phase 4.



### III. PROPOSED LAND USE

The four parcel commercial center is currently home to a McDonald's drive-through restaurant, a 7-Eleven AM/PM gas station, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last vacant parcel remaining within this commercial center and is suitable for the proposed development. The General Plan of Development originally designated this Site for similar retail type land uses, which is compatible with the proposed businesses. The new site layout has been designed to follow as closely as possible the original site design for Parcel 4. However, the number of buildings on this Parcel has been reduced from three to two buildings allowing for more retention and landscaping areas.

### USE PERMIT - FIRESTONE TIRE AND AUTO SERVICE

Firestone is proposing a tire and auto service store. This store will be substantially similar to the existing Firestone located at Apache and McClintock which generally assists its customers only with tire, chassis and engine repair. The Use Permit criteria listed in Part 1, Section 1-411, B of the Ordinance state the following factors shall be considered when reviewing such a request.

1. Any significant increase in vehicular or pedestrian traffic in adjacent areas.

Superior interior site circulation has been designed into the overall commercial center from its inception. Adequate ingress and egress to the Site will be assured through the shared driveways along the adjacent arterial street. The drive aisles will also provide unimpeded access between this Site and all four phases within the commercial center. Another important feature of the Site includes generous separation of pedestrian and automobile traffic with an integrated pedestrian flow using marked walkways. The drive-through lane for Firestone also provides ease of circulation for the business, while minimizing any adverse impacts with the flow of traffic or pedestrians traversing from University Drive through the commercial center. Adequate fire access has also been addressed on the Site. Fire hydrants and access lanes will be located pursuant to the City of Tempe Fire Department requirements.

2. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions.

The proposed use requested in this application will have no adverse noise, glare, vibration, dust, and/or odor impacts on the surrounding area. The Firestone is strategically located with the overhead bay doors not fronting on or visible from very busy adjacent public streets. Additionally, the most adjacent use to the bay doors is a parking lot for the apartment complex to the west. Further west of the parking lot are the apartments themselves, setback approximately 170' from the Firestone building. Enhanced landscaping and an existing 8' screen wall will also provide a suitable buffer, noise and visual relief from the bay doors. These physical buffers and generous building separations coupled with a medium-intensity use all insure no significant nuisances from odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions will occur.



3. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or general plan.

The Site has been designed with highest standards possible to mitigate any potential or perceived impacts to the surrounding area. We have maximized every feasible opportunity for buffering and screening with a mixture of landscape and hardscape, provided adequate and safe ingress and egress points, and provided safe and functional on-site cross access points. In addition, we have identified pedestrian connections and links, enhanced the architectural design, and provided a safe and non-invasive lighting design. Some of the beneficial economic effects include the full development of this commercial corner, providing convenience opportunities, enhancing sales tax revenue, and eliminating sales tax leakage. As a result, the requested Firestone for the Site will not be detrimental to the surrounding area.

4. Compatibility with existing surrounding structures and uses.

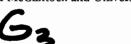
The proposed site and building design has been configured with the highest standards possible in mind, and under the requirements of the City of Tempe's design polices. Adequate interior site circulation was addressed with the original Plan of Development for the commercial center. The entire commercial center benefits from generous separation of pedestrian and automobile traffic with integrated pedestrian flow using marked walkways incorporated throughout. Parking, refuse and service areas have also been integrated on the Site serving the City of Tempe requirements and matching closely the previous Plan of Development. Lastly, the Site has been designed to meet many of the City of Tempe's CPTED requirements. Thus, we have maximized and enhanced every opportunity for the Site and minimized any perceived negative impacts.

5. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.

The proposed Firestone will not create disruptive behavior. The Firestone Company is committed to being a good corporate citizen and neighbor. As a result, the requested land uses for the Site will not be disruptive to the surrounding area.

### FREESTANDING TENANT IDENTIFICATION SIGNS

We are requesting three (3) freestanding tenant identification signs with the Final Plan of Development, two along University Drive and one along McClintock Drive in lieu of the freestanding center identification signs otherwise required in the PCC-1 district. These freestanding tenant identification signs will be designed to complement the existing 7-Eleven, McDonald's and Wienerschnitzel freestanding tenant identification signs and allow for a vibrant sustainable commercial center. Other signage proposed for this Site will complement the design, areas and size of existing signage within the commercial center and will be included with the Design Review Board application for this project.



### IV. OVERALL DESIGN CONCEPT

Harmony, appropriateness, longevity and ease of maintenance have been the highest priorities in selecting all materials and colors for each of the proposed uses. The overall design of both buildings will be compatible in form, color, materials and style with the existing commercial center. The Firestone building adjacent to University Drive will add architectural character to the area, thus completing the streetscape. All signage and building materials will complement the other designs within the center without copying their exact forms or color palettes.

### V. CONCLUSION

We hereby respectfully request your consideration and approval of the Final Plan of Development for Parcel 4 (Phase 4) – Firestone, Use Permit for Firestone automotive and three (3) freestanding tenant identification signs.

The Site's location on two arterial streets and our close attention to site and building designs will insure only positive impacts. It is our primary desire to provide a safe, clean, functional business at this location and to continue Firestone's responsible membership within the City of Tempe. We look forward to continuing our positive involvement within the community through the development of this remaining vacant corner at University and McClintock Drives. We therefore respectfully request your consideration and approval of these requests.

### DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING FINAL PLAN OF DEVELOPMENT FOR PARCEL 2, PHASE 3 AMENDED GENERAL AND FINAL PLAN OF

11M LOSIEE: CDZLOM C-91 WIENERSCHNILTET

(WIENERSCHNITZEL RESTAURANT)

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA

